

## WHAT SHOULD NEIGHBORS DO IF THEY HAVE REASON TO BELIEVE THAT NUISANCE ACTIVITIES ARE OCCURRING AT A PROPERTY?

Depending on the severity of circumstances, your first action may be to ask the property owner for action. Many rental property owners' names, addresses and telephone numbers are listed at the DNS web site ([www.milwaukee.gov](http://www.milwaukee.gov)) at Property Data.

1. Call 933-4444 to report the nuisance. Be as detailed as possible. MPD tracks repeated calls for service and can use this information to determine whether or not the Chronic Nuisance Property Code was violated.
2. Keep a log of when the nuisance occurred (time, date, location, description of the nuisance). Include the name(s) of everyone you called (owner, MPD, etc.).
3. Forwarding your observations to the MPD may assist if the property has reported calls. This information will be relayed to the community liaison officer at each district. You can contact the community liaison officer in your police district for further information. Non-emergency phone numbers for each district are:

- ☎ Dist. 1: 935-7213 (749 W. State St.)
- ☎ Dist. 2: 935-7223 (245 W. Lincoln)
- ☎ Dist. 3: 935-7233 (2333 N. 49th St.)
- ☎ Dist. 4: 935-7243 (6929 W. Silver Spring)
- ☎ Dist. 5: 935-7253 (2920 N. 4th St.)
- ☎ Dist. 6: 935-7263 (3006 S. 27th St.)
- ☎ Dist. 7: 935-7273 (3626 W. Fond du Lac)

4. Be as specific as possible in describing the nuisance.

## DOES THE CHRONIC NUISANCE PROPERTY CODE WORK?

The MPD reports a high degree of success. When property owners are presented with credible evidence of illegal activities on their property, most cooperate with the MPD to prevent its recurrence. Rental property where such activities do not occur is more profitable. Both the owner and the neighborhood benefit. A study showed that 81% of cases are resolved without any billing for service.

*"The only thing necessary for the triumph of evil is for good people to do nothing."*

**-Edmund Burke (Paraphrase)**

Check ownership, violations, complaints and permits for any Milwaukee property at

**[www.city.milwaukee.gov](http://www.city.milwaukee.gov)**

Just click on the Property Data button to get started.

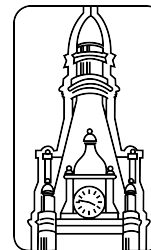
*A joint effort of the  
Department of Neighborhood Services  
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*produced by the*  
Department of  
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# City of Milwaukee Chronic Nuisance Property Code

- What does the Code say?
- What should neighbors of a chronic nuisance property do?
- How to make a complaint
- How does it work?
- Nuisances that trigger a violation
- Advice for Property Owners
- Methods of Appeal



City of  
Milwaukee  
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Neighborhood  
Services



## **MILWAUKEE'S CHRONIC NUISANCE PROPERTY CODE**

### **What is it all about?**

Property where nuisance activity occurs regularly is a blight on the whole neighborhood. The nuisances frighten away law abiding residents, discourage reinvestment and consume police and other city services. Responsible property owners can and usually do take steps to discourage those that cause such behaviors from occupying their buildings. The Chronic Nuisance Property Code says to property owners, in effect, "If you do not take action to try to stop these nuisances from recurring, then you and not the taxpayers will pay the cost of the police that must respond to your building." Passed into law in early 2001, the code is having an effect on reducing the problems where it has been used.

### **WHAT DOES THE CODE SAY?**

When the Milwaukee Police Department [MPD] determines that three or more nuisance activities have occurred at a property within a 30-day period, or two drug dealing, firearms, violent or other serious crimes occurred within a one-year period, they can notify the owner and request a plan to stop it from continuing. If the owner does not respond or fails to carry out the plan, the cost of all future MPD services related to responding to nuisance activities at the property will be placed on the taxes by the Department of Neighborhood Services [DNS]. Citations up to \$5000 per nuisance activity may be issued after a property owner is billed three times for enforcement costs.



## **WHAT NUISANCES ARE INCLUDED?**

There are over 30 nuisance activities listed in the code including but not limited to loud music, loitering, illegal drug activity, harassment, disorderly conduct, battery, indecent exposure, prostitution, loitering, littering, keeping animals that disturb the peace and discharge of a firearm. A complete list is found in 80-10-2 of the Milwaukee Code of Ordinances.

### **WHAT TYPES OF PROPERTY ARE COVERED BY THE CODE?**

Both residential and commercial property.

### **WHAT DOES THE STATE LAW SAY ABOUT ACTIVITIES IN A RENTAL PROPERTY?**

Wisconsin Statute 704.05(3): The tenant cannot use the premises for any unlawful purpose nor in such manner as to interfere unreasonably with use by another occupant of the same building or group of buildings.

### **CAN THE PROPERTY OWNER APPEAL?**

Yes, the code provides for an appeal of a determination that the property is a nuisance and all related enforcement costs. Such appeals are heard by the Administrative Review Appeals Board.

## **DOES THE NUISANCE ACTIVITY HAVE TO RESULT IN A CONVICTION OR EVEN THE ISSUANCE OF A CITATION BEFORE IT COUNTS TOWARD THE 3-IN-30 DAY or 2-IN-1 YEAR LIMIT?**

No. The MPD only needs to have probable cause to believe that the nuisance activities occurred at the premises. Probable cause can be established by credible evidence such as MPD's own observation, physical evidence or credible documentation by neighbors.

### **WHAT SHOULD PROPERTY OWNERS DO IF CONTACTED BY THE MPD CONCERNING VIOLATIONS OF THIS CODE?**

Prepare and implement a course of action designed to abate the nuisance activity. For example, if criminals have been using bushes to hide in and then robbing those walking by, the plan should include trimming or cutting down the bushes. If a tenant has been given noise tickets and keeps a barking dog, the plan should include enforcing your statutory lease provisions concerning no illegal activity on the premises.

### **WHAT SHOULD PROPERTY OWNERS DO IF THEY ARE CONTACTED BY NEIGHBORS ABOUT SUCH NUISANCE ACTIVITIES?**

Take them seriously and respond in the same way that would be needed to solve the problem as if the contact was from the MPD. If neighbors are good enough to alert the owner of a problem, they will probably react positively to constructive action by the owner. If the owner fails to do so, the neighbors will probably be contacting the MPD as well as pursuing other remedies.